

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

July 20, 2015
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Ron Christianson, Andrew Plowman, Rick Fagerlie, Steve Ahmann, Denis Anderson, Audrey Nelsen, and Tim Johnson; Present 8, Absent 1. Council Member Jim Dokken was excused from the meeting.

Also present were Interim City Administrator Kevin Halliday, Planning and Development Director Bruce Peterson, Public Works Director Sean Christensen, Community Education and Recreation Director Steve Brisendine, Finance Director Steve Okins, Fire Chief Frank Hanson, Police Chief Jim Felt, Police Captain Michael Anderson, and City Attorney Robert Scott.

Proposed additions to the agenda included the removal of Item No. 10 – Consideration of Willmar Regional Access Channels Policy Change as requested by staff.

Interim City Administrator Kevin Halliday introduced Willmar's new Fire Chief, Frank Hanson. Mr. Hanson has over two decades of experience on the Fire Department.

Council Member Ahmann offered a motion adopting the Consent Agenda as presented which included the following: City Council Minutes of July 6, Municipal Utilities Commission Minutes of July 13, Cable Advisory Committee Minutes of July 8, Planning Commission Minutes of July 9, Application for Exempt Permit – Pennock Lions Club, Accounts Payable Report through July 16, CER Joint Powers Board Minutes of June 26, and the Zoning Appeals Board Minutes of July 13, 2015.

Council Member Christianson commented on the CER Joint Powers Board Minutes and the scoreboard ordered for Swansson Orange Field with four panels for advertising and questioned receiving money for this space. He also mentioned being approached by the Baseball Booster who are willing to donate funds but stated they have not been approached. Community Education and Recreation Director Steve Brisendine addressed his questions stating the scoreboard will contain four advertising panels of which they have solicited their use by Home State Bank, Lakeland Broadcasting, Bernick's Pepsi, and the Stingers Baseball Club. These four businesses will pay \$500 for two calendar years of advertising. The scoreboard in the Cardinal Arena is going to be a four-sided scoreboard and advertising for the scoreboard has been sold to Bernick's Pepsi. The advertising on the scoreboard in the Blue Line Arena is yet to be determined by size. The Baseball Boosters are donating \$5,000 toward the Swansson Field scoreboard project and they are currently working with them for funding on some other projects. Council Member Anderson seconded the motion, which carried.

Mayor Calvin read aloud the a Proclamation for National Night Out and officially entitled Tuesday, August 4, 2015 as "National Night Out" in the City of Willmar and thanked Council Member Ahmann for bringing this forward. Police Chief Felt encouraged neighborhoods to reach out and get to know each other better and form neighborhood groups.

Mayor Calvin acknowledged Gary Hendrickson, 13305 – 58th Avenue North, Plymouth, MN who had signed up to address the City Council during its scheduled Open Forum. Mr. Hendrickson stated he is the previous Fire Chief for Willmar up until May 4th of this year. He came forward to discuss the gas leak that took place in Willmar on January 15, 2015 and the series of events. He stated that he did not wave Council Member Christianson through the gas leak and that at 10:15 a.m. Council Member Christianson drove through the traffic control and past his truck with the emergency flashers going and past the Minnegasco truck that

was in the process of digging out the trench to repair the system. Mr. Hendrickson then called Police Sergeant Markkanen by phone to report the incident and Council Member Christianson was given a warning ticket.

Sue Quist, 1451 Hansen Drive SW, was acknowledged to speak by Mayor Calvin. She questioned things not being personal with all the name calling and slander and asked for a stop to all the mayhem by the Recall Ron Committee.

Bob Enos, 905 Trott Avenue SW, commented on Mayor Calvin's pledge when he was running for Mayor of listening to all the people and transparency on all City dealings. He stated the Mayor contacted the "West Central Tribune" saying certain members of this community who are frequent contributors at the Open Forum must be prevented from misleading certain Council Members with their half-truths and lies and proposed shorter Open Forums and with more restrictions on the subject matter. He spoke of diversity's true meaning pointing to all of the things that make us different, including political views.

Rudy Vigil, WRAC Coordinator, came before the Council with a request for consideration of a fourth channel to the Willmar Regional Access Channels. Due to the high volume of programming and recent additions in recording of community, Willmar Regional Access Channels would request the addition of the fourth channel, which would be slated as an "Events and Local Programming" channel to include sporting events.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Anderson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

A RESOLUTION AUTHORIZING CITY STAFF TO PROVIDE WRITTEN NOTICE TO CC VIII OPERATING, LLC D/B/A CHARTER COMMUNICATIONS TO PROVIDE A FOURTH PEG CHANNEL AS PERMITTED UNDER THE CABLE TELEVISION FRANCHISE ORDINANCE

WHEREAS, CC VIII OPERATING, LLC, d/b/a Charter Communications ("Charter") operates a Cable System to provide Cable Service within City of Willmar, Minnesota ("City") pursuant to a Cable Television Franchise Ordinance with the City ("Franchise");

WHEREAS, Exhibit B, paragraph 1 of the Franchise sets forth specific public, educational and government ("PEG") access channel requirements;

WHEREAS, Charter is currently providing three (3) PEG Channels available exclusively for public, educational and governmental use; and

WHEREAS, Exhibit B, paragraph 1 the Franchise provides that City shall have the right to require that Charter provide a fourth (4th) PEG Channel upon nine (9) months advance written notice by the City, which notice shall be approved by the City Council.

NOW, THEREFORE, the City Council of the City of Willmar, Minnesota hereby resolves that the City staff is authorized to provide written notice to Charter to provide a fourth (4) PEG Channel, pursuant to Exhibit B, paragraph 1 of the Franchise.

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

A RESOLUTION AUTHORIZING CITY STAFF TO PROVIDE WRITTEN NOTICE TO
WINDSTREAM COMMUNICATIONS, INC. TO PROVIDE A FOURTH PEG CHANNEL AS PERMITTED
UNDER THE CABLE TELEVISION FRANCHISE ORDINANCE

WHEREAS, Windstream Communications, Inc. ("Windstream") operates a Cable System to provide Cable Service within City of Willmar, Minnesota ("City") pursuant to a Cable Television Franchise Ordinance with the City ("Franchise");

WHEREAS, Exhibit B, paragraph 1 of the Franchise sets forth specific public, educational and government ("PEG") access channel requirements;

WHEREAS, Windstream is currently providing three (3) PEG Channels available exclusively for public, educational and governmental use; and

WHEREAS, Exhibit B, paragraph 1 the Franchise provides that City shall have the right to require that Windstream provide a fourth (4th) PEG Channel upon nine (9) months advance written notice by the City, which notice shall be approved by the City Council.

NOW, THEREFORE, the City Council of the City of Willmar, Minnesota hereby resolves that the City staff is authorized to provide written notice to Windstream to provide a fourth (4) PEG Channel, pursuant to Exhibit B, paragraph 1 of the Franchise

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Ross Smeby, IT Coordinator, came before the Council to present a request from Windstream's EN-TEL, LLC to close their office in Willmar. The office currently has two staff persons and approximately one customer a day utilizing this service. They are proposing the use of toll free numbers that would in turn dispatch technicians who are in the area. A donation of \$12,000 has also been offered recognizing the inconvenience to the City. The Council discussed the possibility of receiving a similar request from Charter in the future. Council Member Christianson moved to consider the closing of the Windstream office and directed staff to amend Ordinance No. 1152. Council Member Ahmann seconded the motion, which carried with 6 Ayes and 1 No vote from Council Member Anderson.

Ross Smeby, IT Coordinator, presented an Engagement Agreement with Moss and Barnett for legal representation to renew the cable television franchise held by Charter Commissions and to handle other cable communication issues as may be directed by the City. Council Member Anderson made a motion to approve the agreement with Moss and Barnett for legal services with Council Member Christianson seconding the motion for discussion. Council Member Anderson expressed his concern with Paragraph H of the agreement in which Moss and Barnett also represents Windstream stating a conflict of interest should negotiations between both parties arise. The Council discussed options and various interpretations of Paragraph H. Council Member Nelsen made a motion to table the decision to enter into the agreement with Moss and Barnett pending further interpretation by both Moss and Barnett and City Attorney Robert Scott. Council Member Anderson seconded the motion, which carried.

The Finance Committee Report for July 13, 2015 was presented to the Mayor and Council by Council Member Anderson. There were thirteen items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Staff explained to the Committee that the City Council selected the David Drown Associates proposal of \$14,000 to begin the search for the new City Administrator. It was noted that this item will be charged to the Professional Services line item in the 2015 Mayor/Council Budget. This matter was received by the Council for information only.

Item No. 3 IS Coordinator Ross Smeby explained to the Committee that to date there has been no procedure or policy on the issuing of keys or allowing of access to the Auditorium. The proposed Auditorium Access Policy was distributed to the Committee which clearly defines how someone will request keyed access to the Auditorium and sets the policies and rules for persons using the Auditorium. The Committee was recommending the Council approve the Auditorium Access Policy as presented.

Council Member Anderson moved to concur with the recommendation of the Committee to approve the Auditorium Access Policy. Council Member Fagerlie seconded the motion, which carried.

Item No. 4 Staff explained that the City of Willmar currently does not have an effective or supported Permitting System. Multiple departments do depend on the software for this information. The IS Department, in cooperation with the Planning and Development Services Department and City Clerk, have explored multiple systems. The system from LOGIS would best fit our needs and is currently used by multiple governmental agencies. The initial purchase, training and setup cost estimate is \$19,979, which includes the Business Licenses and Code Enforcement Modules. The Committee recommended the Council authorize the Mayor and Interim City Administrator to execute the LOGIS Agreement for the purchase of a Permitting System in the amount of \$19,979 as presented.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

WHEREAS, the City of Willmar needs to purchase a Permitting Software System for use in issuing construction permits; and

WHEREAS, the City of Willmar has explored multiple systems and has determined Local Government Information Systems (LOGIS) as the best suited for the City's needs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the Mayor and City Administrator be authorized to execute the agreement with LOGIS to purchase the Permitting Software System in the amount of \$19,979.

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 5 Staff explained that due to several building maintenance and project needs at the WRAC-8 Studio, the IS Coordinator is requesting that \$16,000 from the Thin Client CIP Project be reallocated to fund these projects. A motion to re-appropriate the funds for these projects was approved at the July 8, 2015, Cable Advisory Board Meeting. That motion was amended to specifically include funding for these projects and to obtain a second quote for window treatments. It was noted that \$125,000 was initially

budgeted for the Thin Client Project. Other projects that may require funding from this would include a new AS 400 Financial System, Data Storage Array for the IS Department, and HVAC equipment at the WRAC-8 Studio.

The Committee made the recommendation to reallocate the 2015 Capital Improvement Program Thin Client Funds to the Charter Fiber Rack move, Leightronix Switcher, Studio Sign, Roof Repair, and new Bulletin Board Server for \$16,000.

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to reallocate \$16,000 from the 2015 Capital Improvement Program Budget for Thin Clients to the Charter Fiber Rack move, Leightronix Switcher, Studio Sign, Roof Repair, and new Bulletin Board Server at WRAC-8 as follows:

Decrease:	2015 Capital Outlay/Information Systems/Thin Clients	\$ 16,000
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Increase:	2015 Capital Outlay/Information Systems/WRAC 8/ Charter Fiber Rack move, Leightronix Switcher, Studio Sign, Roof Repair, and new Bulletin Board Server	\$ 16,000
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Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 6 Staff explained that the Public Works Department replaced the 2003 Ford F350 Pickup with a 2015 Ford F350 in accordance with the Vehicle Replacement Program through the Southwest West Central Service Cooperative Agreement as approved at the April 20, 2015, Council Meeting. Sale prices for vehicles in the region with similar age, accessories, and general condition were researched prior to setting the price at \$7,000.

The Committee was recommending the Council approve the sale of the Public Works 2003 Ford F350 Pickup to the Willmar Public Schools for \$7,000. Council Member Johnson seconded the motion which carried.

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar to authorize the sale of the Public Works 2003 Ford F350 Pickup to the Willmar Public Schools for \$7,000.

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 7 Staff explained that the reconstruction of the COB West Parking Lot was included in the 2015 CIP and the Cooperative Construction Agreement with Kandiyohi County was approved by the Council on April 20, 2015. The agreement details the City reimbursing the County for 50% of the cost, estimated at \$90,000 for the City's portion, in exchange for 12-20 spots in the lot. Bids were received for the project on July 7th, with the low bid from Duininck, Inc., in the amount of \$203,328.91, increasing the City's cost to \$101,664.46. Staff is requesting \$15,000 of unused funds from the purchase of four Kubota mowers be re-allocated for this expense. It was noted that \$127,628 was budgeted in the 2015 CIP for the purchase of the mowers with the actual cost totaling \$72,695.

It was the recommendation of the Committee to the Council to reallocate \$15,000 from unused funds from the purchase of four Kubota mowers to this COB West Parking Lot Project.

Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to reallocate \$15,000 in excess funds from the 2015 Capital Improvement Program Budget for the purchase of four Kubota mowers to the County Office Building West Parking Lot Project within the 2015 Street Improvement Program as follows:

Decrease:	2015 Capital Outlay/Public Works/4 Kubota Mowers	\$ 15,000
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Increase:	2015 County Office Building West Parking Lot Reconstruction included in the 2015 Street Improvement Program	\$ 15,000
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Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 8 Staff explained to the Committee that the Northland Group contacted KC Dog, supporters of the dog park, and offered a donation of \$212 to assist with expenses related to the creation of the dog park at Lions Park. It was noted that Northland Group was founded in 1982 and provides business process outsourcing services focused on accounts receivable management and collection services for national credit grantors and debt buyers.

The Committee made the recommendation to accept the donation of \$212 from Northland Group to assist with expenses related to the creation of the dog park at Lions Park, and to direct the Interim City Administrator to send a letter of appreciation.

Resolution No. 7 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 7

WHEREAS, the City of Willmar is pursuing the establishment of a dog park at Lions Park; and

WHEREAS, the Northland Group contacted KC Dog, supporters of the dog park, and offered a donation of \$212 to assist with expenses related to the creation of the dog park.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation in the amount of \$212 from the Northland Group and that the City Administrator be directed to express the community's appreciation for the donation.

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 9 Staff explained to the Committee that Westwind Park has been unutilized since the development was created. Given the shortage of youth soccer field areas, staff believes this park is ideal to create some youth practice fields. In addition to this work we will need to seed and fertilize the field to be ready for soccer in the summer of 2016. Duininck was the sole bidder for the Westwind Project in the amount of \$15,076. This project was previously approved in the amount of \$30,000 in the 2015 CIP. It was noted that Duininck recently completed top dressing Hodapp Field, making that field much more playable.

The Committee was recommending the Council authorize the Mayor and Interim City Administrator to execute the Westwind Park Soccer Field Project Agreement with Duininck, Inc., in the amount of \$15,076.

Resolution No. 8 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 8

WHEREAS, the City of Willmar desires to create a soccer field at Westwind Park and has requested bids for this project; and

WHEREAS, Duininck, Inc., has submitted the sole bid for this project in the amount of \$15,076;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the Mayor and City Administrator be authorized to execute the agreement with Duininck, Inc., to top dress the area for the soccer field at Westwind Park in the amount of \$15,076.

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 10 Staff explained to the Committee that Movies In The Park was a concept that started in 2014 and was successfully supported by the Community last year. Staff was part of the decision to move that program to the CER Department for the 2015 season which includes four movies, one at the auditorium and three at Robbins Island. Donations have been received in support of that program in the amount of \$3,750 and letters of appreciation have been sent to those donating. Staff is requesting the Leisure Services Professional Services budget be increased by \$3,750 for this program. Costs include movie rentals, screen/projector rental, inflatable rentals and advertising costs.

It was the recommendation of the Committee to increase the 2015 Leisure Services Operating Budget for Professional Services by \$3,750 for the Movies In the Park Program.

Resolution No. 9 was introduced by Council Member Anderson, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 9

WHEREAS, the City of Willmar Community Education and Recreation (CER) Department has assumed the administration of Movies In The Park; and

WHEREAS, donations have been received by the CER Department in support of that program in the amount of \$3,750; and

WHEREAS, appreciation has been expressed by the CER Department to each donor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the 2015 Leisure Services Operating Budget be increased by \$3,750 as follows:

Increase:	2015 Leisure Services Professional Services	\$ 3,750
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Increase:	2015 Operating Revenue/Donations	\$ 3,750
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Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 11 Staff explained to the Committee that the services of Bicycle Alliance of Minnesota have been enlisted to audit the biking/trail infrastructure in Willmar for a total of \$5,000. This work is a key component to our future application to achieve a designation of a Bicycle-Friendly Community. The Willmar Lakes Area CVB and Kandiyohi County SHIP programs each donated \$1,000 to support this work. Staff is requesting that the Leisure Services Professional Services Budget be increased by \$2,000 to accommodate this expenditure.

It was the Committee's recommendation to the Council to increase the 2015 Leisure Services Operating Budget for Professional Services by \$2,000 for Bicycle Alliance of MN Consulting Agreement and to direct staff to send a letter of appreciation to the Willmar Lakes Area CVB and Kandiyohi County SHIP for their donations. Council Member Christianson questioned the use of a consultant for these services and whether staff would be able to complete the tasks. Community Education and Recreation Director Steve Brisendine explained the services included to be an audit of our infrastructure and assistance in applying for grants.

Resolution No. 10 was introduced by Council Member Anderson, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 10

WHEREAS, the City of Willmar has entered into a consulting agreement with Bicycle Alliance of Minnesota to audit the biking/trail infrastructure in Willmar; and

WHEREAS, the Willmar Lakes Area CVB and the Kandiyohi County SHIP have each donated \$1,000 to support this work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donations from the Willmar Lakes Area CVB and the Kandiyohi County SHIP in the amount of \$1,000 each and that the Interim City Administrator be directed to express the community's appreciation for the donation.

BE IT FURTHER RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to increase the 2015 Leisure Services Operating Budget by \$2,000 to accommodate the professional services contract with Bicycle Alliance of Minnesota to audit the biking/trail infrastructure in Willmar as follows:

Increase:	2015 Leisure Services Professional Services	\$ 2,000
Increase:	2015 Operating Revenue/Donations	\$ 2,000

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 12 The Committee received the following reports: 04/30/15 Rice Memorial Hospital and 12/31/14 Kandiyohi Area Transit Annual Financial Report. This matter was presented to the Council for information only.

Item No. 13 Chair Anderson noted that the Mayor will be presenting his proposed 2016 Budget at the Finance Committee Meeting with Full Council attendance on August 31, 2015. This was received by the Council for information only.

The Finance Committee Report for July 13, 2015, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for July 14, 2015 was presented to the Mayor and Council by Council Member Christianson. There were six items for consideration.

Item No. 1 Citizen Ms. Beverly Donley, 904 Becker Avenue SW, spoke about traffic concerns of the uncontrolled intersection at the corner of Becker Avenue and 9th Street SW.

Item No. 2 Police Chief Jim Felt noted the jail census for July 14, 2015 was 170; 93 inmates from the Department of Corrections, 76 inmates from Kandiyohi County, 1 inmate from Swift County and 1 inmate from Chippewa County. The calls for service for the previous two weeks totaled 939. The majority of the calls were for traffic stops, followed by public assists and animal complaints. The total calls for service so far this year is approximately 11 days ahead of 2014 at this date. The new canine Axel was available for a meet and greet at the meeting with his handler, Officer Chris Flatten. Axel will be completing his drug certification in the upcoming week and will be fitted for a vest after he has reached 18 months of age. The committee discussed the recent criminal activity of thefts from cars and garages and the Neighborhood Watch program utilizing the website www.nextdoor.com. With the departure of Frank Hanson to the Fire Department and the retirement Mike Markkanen, the Police Department anticipates starting the hiring process of two new officers after the Police Commission meeting on Thursday, July 16th. The weekend parking concerns of the Central Business District were noted.

Fire Chief Frank Hanson introduced himself to the Committee as the new Chief as of June 22nd. Hanson has resided in Willmar his whole life, and has been a member of the Willmar Fire Department for the past 22 years as well as Police Officer for the past 20 years. The total calls for service for the previous two

weeks totaled 10, and included several fire calls, bonfires, vehicle accidents and lift assists. The total calls for service so far this year is 187, up from 155 at this time last year. Chief Hanson recapped the regulations for bonfires in City limits needing to be in a pit or container and 3 feet in diameter, 25 feet from any structure, have a water source to put out the fire, and must be attended until fully extinguished. The staff updates were received for information by the Council.

Item No. 3 Staff brought forth, for approval, the authorization to purchase 50 Self-Contained Breathing Apparatus (SCBA) and spare bottles for the Fire Department. The current SCBA's and bottles were purchased in 2001, with their useful life of 15 years to be reached on April 1, 2016. If the new units are ordered in 2015, the department will save about \$15,000 versus ordering in 2016 and not having enough funding in the CIP for the increased price after the first of the year with the company invoicing us in January of 2016. The total cost of the units and bottles totals \$330,812.66 and will be budgeted in the 2016 CIP. The old units will be disassembled and some of bottles sold to interested parties. The Committee was recommending approval of the purchase of the Self Contained Breathing Apparatus (SCBA) units and spare bottles in the amount of \$330,812.66 from Emergency Response Solutions.

Council Member Christianson made a motion to introduce the resolution approving the purchase of the SCBA's and spare bottles with Council Member Ahmann seconding the motion. The Council discussed the purchase expressing concerns for encumbering the funds from the 2016 budget, which is yet to be approved, and whether or not the equipment has been ordered by verbal agreement. Council Member Nelsen made a motion to table the action to approve purchase of the SCBA's and spare bottles and refer the funding issues to the Finance Committee for review. Council Member Plowman seconded the motion, which carried.

Item No. 4 Staff presented, for approval, the purchase/replacement of one Biosolids pickup truck and blade in accordance with the 2015 CIP and Vehicle Replacement Schedule. The current unit, a 2005 Ford F-250 and blade, is to be replaced with a 2016 Ford F-250 XL 4WD truck with V plow from Nelson Auto Center under the Southwest/West Central Service Cooperative in the amount of \$35,783.27. \$51,000 was budgeted in the CIP for the truck and blade, and the current unit will be sold at the City auction. It was the recommendation of the Committee to the Council to approve the purchase/replacement of one Biosolids pickup truck and blade from Nelson Auto Center in the amount of \$35,783.27.

Resolution No. 11 was introduced by Council Member Anderson, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 11

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the purchase of one 2016 Ford F-250 pickup with V Plow is accepted through the Southwest/West Central Service Cooperative, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with Nelson Auto Center for the terms and consideration of the contract in the amount of \$35,783.27.

Dated this 20th day of July, 2015.

/s/ Marv Calvin

Mayor

/s/ Kevin Halliday

Attest: City Clerk

Item No. 5 Staff brought forth, for information, concerns from a new business owner who purchased a downtown building located at 102 6th Street SW and is addressing possibilities of using City land as a public parking lot for her customers as well as other citizens in the area. The Committee discussed the site, formally the Rule Tire building lot, is currently a gravel lot and would only require signage to create a temporary lot until it is determined if the property will be sold.

The Committee recommended the Council approve the designation of the lot as a public parking lot until it is determined what the City would like to do with the property. Council Member Christianson moved the recommendation of the Committee. Council Member Nelsen seconded the motion, which carried.

Item No. 6 Duininck Engineer Jason Ver Steeg brought forth, for information, the proposal of the Water View Phase 2 school project infrastructure improvements. Duininck first presented the information on the extension of 24th Avenue SE connecting to Lakeland Drive at the Public Works/Safety Committee meeting on April 29, 2014. A parcel of land in this location has been identified as a possible site for the new elementary school and Duininck staff is presenting the concept of a cost share agreement for infrastructure needs to accommodate the school, as well as the extension of the street. The design was noted as a preliminary adaption of the school based on the specifications given by the school. Mr. Ver Steeg discussed possible benefits Duininck staff has identified, with rebuttal of the benefits given by City Engineer Sean Christensen. The proposal was received for information by the Committee.

Council Member Christianson summarized the proposal by Duininck Inc. whereby property owned by them is one of the two areas being considered by the Willmar School District for development of the new school passed by referendum. Duininck Inc. is proposing the extension of 24th Avenue SE to connect with Lakeland Drive and a cost-share agreement to accommodate the infrastructure needs of the school as well as the street with the City's share estimated at \$1-1.2 million. The design is preliminary and possible benefits were identified to include the reduction of traffic through the 19th Avenue SW residential area.

Jason Ver Steeg, Engineer with Duininck Inc., addressed the Council and gave some background information relating to the development, benefits to the City to include increased safety and cost sharing arrangements of 50%. This was received by the Council for information only.

Council Member Ahmann has been approached by residents in the area of Garfield School for stop signs on Becker Avenue and 9th Street SW. This was brought for information and will be put on a Committee agenda.

The Public Works/Safety Committee Report for July 14, 2015, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Ahmann, and carried.

The Labor Relations Committee Report for July 15, 2015 was presented to the Mayor and Council by Council Member Ahmann. There were seven items for consideration.

Item No. 1 Finance Director Steve Okins asked Chair Ahmann if the positions that were tabled by Committee will be brought back to Committee. The discussion of the positions can be placed on a future agenda and proper notice will be given to the Department Directors affected.

Item No. 2 Staff informed the Committee that the Building Department at Kandiyohi County will no longer be contracting the services of the City's Building Inspection Department. A billing summary for the hours and mileage reimbursement for the contracted services was reviewed by the Committee. The Building Officials were thanked for providing this service to Kandiyohi County during their transition period. The Council received this for information only.

Council Member Dokken arrived at 4:49 p.m.

Item No. 3 Staff informed the Committee that due to the resignation of the Civic Center Arena Manager, staff reviewed the job duties and presented three options for the Committee's consideration. One being the current staffing layout, a second to include the manager with additional administrative duties at a higher pay grade with no part-time staff clerk and a third by which the City would contract with Community Education and Recreation using one of their employees whose salary would be shared .75 FTE for arena work and .25 FTE for school facility management.

The Committee discussed the options at length and the need to market the use of the facility in the summer months. It was the consensus of the Committee that the facility requires a full-time manager to be on-site as the Civic Center is an important facility of the community which should be operated by the City. Discussion was held pertaining to the Arena Staff Clerk position of which some duties including answering phones, accounts payable and accounts receivable could be shifted to the Arena Manager. The Committee discussed giving the Arena Manager the option to decide on whether or not to fill the position after this individual is employed. The Committee recommended City staff be directed to proceed with advertising the position of Arena Manager following the Modified City Staffing Layout and to not fill the Arena Staff Clerk position until it is requested by the Arena Manager. Council Member Ahmann moved to accept the recommendation of the Committee. Council Member Anderson seconded the motion, which carried.

Item No. 4 Interim City Administrator Kevin Halliday informed the Committee that it was brought to the City's attention by AFSCME Union Stewards that our Appraiser job descriptions in the Assessing Department are listed as a Pay Range 6 for Appraiser I and a Pay Range 5 for Appraiser II and that the City's Appraiser job descriptions are not following MN Standards which may lead to confusion. Staff recommendation was to change the Pay Range 6 job to be an Appraiser II and the Pay Range 5 to an Appraiser I and notify AFSCME of the same.

The Committee was recommending the Council change the job descriptions as recommended by staff and amend the AFSCME contract to reflect the change. Council Member Ahmann moved to accept the recommendation of the Committee. Council Member Anderson seconded the motion, which carried.

Interim City Administrator Kevin Halliday informed the Committee that the Assessor position remains vacant. The most recent applicant that was offered the position has declined and that the contract the City currently has with a professional assessor only allows time for review of the commercial properties. This in turn has added more tasks to the Senior Appraiser and a MOA may be forthcoming to compensate for the additional duties. He also informed the Committee that the City offers no additional compensation for attaining the Department of Revenue certifications placing staff at risk for local competition for job vacancies and a review of their positions in the pay range schedule is needed. This was received for information only.

Item No. 5 Public Works Director Sean Christensen presented proposed Public Works/Engineering staff changes. He provided a proposal to fill the vacant Assistant City Engineer position by removing the Professional Engineering Certification and promoting from within. This in turn would open up an entry-level Technician position maintaining the necessary staffing. The next proposed change was the creation of the Environmental Specialist position due to the current and evolving environmental/regulatory issues and monitoring the ever-changing MS4 regulations and reporting requirements. This position has funding available in the Wastewater Budget. Thirdly Mr. Christensen proposed the creation of a Building Maintenance Supervisor which would be crucial to the daily operations and supervision of all City facilities. This position would manage compliance with maintenance standards and ensure the necessary work is completed along with the supervision of custodial staff. Lastly, within the Public Works Department, due to pending retirements he proposed hiring of two entry level Operators prior to the end of the year. This would be beneficial for training purposes prior to the winter snow season. Also included in the proposal is the promotion of one of the Public Works Operators to a Parks Working Foreman to advance the maintenance of the City's 37 parks and promoting and administering the recently adopted Parks Plan. The fiscal impact of this position is approximately \$1,900 a year. These staffing changes were received by the Committee for information only and will be brought back to on an individual basis in the near future. The Council also received this item for information only.

Item No. 6 Interim City Administrator Kevin Halliday informed the Committee that he has met with Gary Weiers of David Drown Associates and the search has actively begun. He urged Council Members to arrange their schedules to accommodate their individual meeting times. This was for information only.

Item No. 7 Staff informed the Committee the contract with Anderson Law Firm, the City's prosecuting attorney, will be expiring at the end of the year and requested direction. The Committee

recommended directing staff to proceed with renewing the contract with Anderson Law Firm for a period of one year. Council Member Ahmann moved to accept the recommendation of the Committee. Council Member Anderson seconded the motion, which carried.

The Labor Relations Committee Report for July 15, 2015, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Ahmann, seconded by Council Member Anderson, and carried.

Planning and Development Services Director Bruce Peterson presented for the Council's consideration the vacation of a portion of the Western Interceptor Sewer right-of-way. Due to an error in the plat of the Industrial Park 4th Addition plat, the parcels of the Western Interceptor Sewer right-of-way were not combined with the newly created lots. In order to have them be a part of the new lots, the parcels should be vacated and protected/retained with utility easements. The Planning Commission approved the vacation with the retention of a utility easement over the sewer parcels.

Resolution No. 12 was introduced by Council Member Nelsen, seconded by Council Member Anderson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 12

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER VACATION OF A PORTION OF SEWER RIGHT-OF-WAY PARCELS

BE IT RESOLVED by the City Council of the City of Willmar that the Council conduct a public hearing at 7:01 p.m. on Monday, August 3, 2015, in the Council Chambers at the Municipal Utilities Commission Building, 700 Litchfield Ave. SW, Willmar, MN.

BE IT FURTHER RESOLVED that the purpose of the hearing will be to consider a sewer right-of-way vacation initiated by the City described as:

Parcels 9, 10, 11, 12, and 13, City of Willmar Western Interceptor Sewer Right-of-Way Plat No. 1, with retention of the said parcels as utility easement.

BE IT FURTHER RESOLVED that any person having an interest in said matter is invited to appear in person or be represented by counsel to be heard on this matter.

Dated this 20th day of July, 2015.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday

Attest: City Clerk

Announcements for Council Committee meeting dates were as follows: Finance, 4:45 p.m. at City Hall, July 27; Public Works/Safety, 4:45 p.m. at City Hall, July 28; Labor Relations, 4:45 p.m. at City Hall, July 29, Community Development/Full Council, 4:45 p.m. at the Council Chambers, July 30, 2015.

Other announcements included the Mayor informing Council Members that there will be a Budget folder in their Dropbox in the near future to share those documents. A reminder of Relay for Life on Friday, July 24th at the Middle School was given along with the announcement of Willmar being recognized as a GreenStep City receiving a certificate of participation during the LMC Summer Conference.

Council Member Christianson requested to comment on the statement given by former Fire Chief Gary Hendrickson during the Open Forum. Mr. Christianson gave his detailed side of the incident of how he became intertwined in the emergency incident of a gas leak. He proceeded to say he was on his way to work when he came across a fire truck blocking 15th Avenue SW. In thinking there was a fire within the next two blocks, he planned a route back to 15th Street via 16th Avenue. When he arrived there he saw the Fire Chief's truck parked near the curb on his right so he turned to the left whereby the cause of the emergency is visible, so he quickly pulled into the church parking lot hoping to cut to the back entrance into Ramblewood only to find that area was blocked as well by a police officer who told him to turn around, and he did.. He had no idea what was taking place until later.

Council Member Ahmann questioned where the City's Emergency Management Office is located and the benefit of continued/renewed training for the Council.

Council Member Plowman offered a motion to adjourn the meeting with Council Member Anderson seconding the motion, with carried. The meeting adjourned at 9:36 p.m.

Attest:

MAYOR

SECRETARY TO THE COUNCIL